



Legislative Council Staff

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Memorandum

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TO: Initiative Proponents and Other Interested Parties

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SUBJECT: Instructions for Submitting Fiscal Impact Estimates for Citizen Initiatives

Summary

Legislative Council Staff is required to prepare an initial fiscal impact statement for all citizen ballot measures submitted to the Title Board, taking into consideration any fiscal estimates submitted by initiative proponents and other interested parties. The initial fiscal impact statement must also include an abstract to be printed on ballot petitions when proponents gather signatures. This memorandum provides instructions and deadlines for interested parties to submit fiscal impact estimates for consideration by Legislative Council Staff, outlines the process for filing a motion for a rehearing before the Title Board if there are objections to the fiscal impact identified by Legislative Council Staff, lists the information that must be included in the initial fiscal impact statement and abstract, and provides additional resources for citizens participating in the ballot initiative process.

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Instructions

To submit a fiscal estimate about a proposed ballot measure to Legislative Council Staff, interested persons should review and follow these guidelines:

- Submissions must include the author's full name, title, organization (if any), and contact information. Designated representatives of the proponents should indicate this status in their submission.
- Estimates must be submitted in portable document format (PDF). Spreadsheets, databases, and other documents that show calculations and provide data may also be submitted.

- The PDF and any other files should be sent as e-mail attachments to: BallotImpactEstimates.ga@state.co.us
- The email with the PDF attachment should include the initiative number and topic in the subject line. For example: Initiative 108 - Funding for the Office of Film, Television, and Media.
- Estimates should be submitted as soon as possible following the Review and Comment hearing, but no later than the following deadlines: for proponents, 12 days before the Title Board hearing; for others, 7 days before the Title Board hearing.

Information to Include in Fiscal Estimates

Fiscal impact estimates from proponents and other interested parties should focus on the information that Legislative Council Staff is required to include in its analysis of measures. Fiscal impact statements focus primarily on the direct impacts to state government agencies and local governments. The information required in fiscal impact statements, and key questions that you may ask when providing your fiscal estimate, are listed below.

An estimate of the impact the measure will have on state and local government revenues, expenditures, taxes, and fiscal liabilities.

- Which state and/or local agencies are responsible for implementing the measure?
- Will the implementing agencies require new staff?
- Does the measure require computer systems, data collection, or other duties?

An estimate of the amount of any state and local government recurring expenditures or fiscal liabilities.

- Are there recurring costs under the measure?
- Does the measure have one-time costs to implement?

For tax measures, an estimate of the impact to the average taxpayer.

- Does the measure require that new taxes or fees be collected?
- If so, how much? How is new revenue spent?
- How many people will pay the new tax?

A statement of the measure's economic benefits for all Coloradans.

- * What economic benefits will the state economy receive from the measure?
- * Will any groups lose economic benefits under the measure?

Legislative Council Staff will consider all information submitted, but the most helpful, useful, and effective submissions will include verifiable data from independent sources such as government agencies, industry research groups, and nonprofit entities. Helpful submissions should use reasonable and realistic assumptions about how the measure will be implemented, clearly stated in narrative form.

Title Board Schedule and Submission Deadlines

By law, the Title Board meets on the 1st and 3rd Wednesday of each month beginning in December and ending in April. For a ballot measure to be scheduled at the Title Board, it must be submitted to the Secretary of State by 3:00 p.m. on the 12th day before the board meets. The initial fiscal impact statement for each measure must be completed by the time the Title Board meets to set the measure's ballot title. Completed fiscal impact statements must be delivered to the Secretary of State and the measure's proponents, and published on the General Assembly's website.

To ensure that your fiscal estimate is considered fully in the preparation of an initial fiscal impact statement, you must submit information within the established deadlines. Proponents must submit the information to Legislative Council Staff at least 12 calendar days prior to the Title Board hearing. Other interested parties must submit information at least 7 calendar days prior to the Title Board hearing. The anticipated schedule for the Title Board, through April 17, 2019, the last meeting for the Title Board to hear measures for the 2019 general election, as well as the corresponding submission deadlines, are included in Table 1 at the end of this document.

Please submit your fiscal estimates as early as possible to allow the maximum time for Legislative Council Staff to consider your submittal. While all fiscal estimates will be considered, the information submitted may not necessarily be incorporated into the fiscal impact statement or abstract prepared by Legislative Council Staff. All submissions are public records and will be posted on the General Assembly's website for each initiative filed.

Rehearings and Modifications

When a measure is first heard by the Title Board for title setting, Legislative Council Staff provides both an initial fiscal impact statement and an abstract of fiscal impact. The abstract, which must be included on petition sections circulated by initiative proponents, is accepted by the Title Board without additional review. However, if the proponents or other parties believe that the abstract is incorrect, prejudicial, or misleading, they may file a motion for a rehearing at the Title Board. Proponents must ask for a rehearing within seven days and they must be specific in their objections and offer documentation that supports a different estimate. At the rehearing, the Title Board may modify the abstract. If the abstract is modified, the Secretary of State's Office must send a copy to the Legislative Council Staff to post on its website. Legislative Council Staff may update the initial fiscal impact statement when it prepares the final fiscal impact statement for the Blue Book.

Additional Information and Resources

On the [fiscal note section](#) of the Legislative Council Staff website under "Information for State Agencies," proponents and other interested parties can find additional information and resources that may assist them in developing fiscal estimates about their measures. These resources include (1) an expense calculation spreadsheet and (2) the fiscal note common policies, which are rules and instructions used by Legislative Council Staff and state agencies to develop fiscal estimates for legislation during the legislative session. The [Joint Budget Committee website](#) also hosts various budget documents and appropriations reports about state agencies and programs that may be useful to use or consider when drafting fiscal estimates. Additional information about the Title Board may be found on the [Secretary of State website](#).

Table 1
Schedule of Title Board Hearing Dates and Related Deadlines*
(December 2018 – April 2019)

Title Board Hearing Date	Deadline for Proponents to Submit Fiscal Estimates to LCS	Deadline for Others to Submit Fiscal Estimates to LCS
<i>1st and 3rd Wednesdays</i>	<i>3:00 p.m. Fridays, 12 days before the hearing</i>	<i>3:00 p.m. Wednesdays, 7 days before the hearing</i>
December 5, 2018	November 23, 2018	November 28, 2018
December 19, 2018	December 7, 2018	December 12, 2018
January 2, 2019	December 21, 2018	December 26, 2018
January 16, 2019	January 4, 2019	January 9, 2019
February 6, 2019	January 25, 2019	January 30, 2019
February 20, 2019	February 8, 2019	February 13, 2019
March 6, 2019	February 22, 2019	February 27, 2019
March 20, 2019	March 8, 2019	March 13, 2019
April 3, 2019	March 22, 2019	March 27, 2019
April 17, 2019	April 5, 2019	April 10, 2019

* This schedule assumes the Title Board meeting on the first and third Wednesday of every month. Meetings may be cancelled if no measures are scheduled to appear before the Title Board. Please check the [Secretary of State website](#) for updates on the Title Board's schedule and its agenda items.